REMARKS

Claims 19-35 and 37 are pending in the application, of which claims 19, 25 and 32 are in independent form. Claims 19, 20, 23, 25, 29, 32, and 37 are amended herein. Claims 1-18 and 36 were previously canceled.

In the Office Action mailed November 13, 2008 (the "Office Action"), all of the pending claims stand rejected under § 103 as purportedly being unpatentable over U.S. Patent No. 6,978,273 to Bonneau et al. (hereafter "Bonneau").

The Applicants respectfully request reconsideration of the claims in light of the amendments and remarks below. With the amendments and remarks herein, the Applicants have addressed all of the issues raised in the Office Action. Therefore, the Applicants submit that the Application is in condition for allowance and respectfully requests the same.

AMENDMENTS TO THE CLAIMS

The Office Action purports that language in claims 19, 25, and 32 is mere "intended use" and, therefore, gives the language no patentable weight. *See* Office Action Pg. 3 ¶ 4. Specifically, the Office Action points to the following, "...to generate a first view of the specific tangible object... with the first rule..." Id. Claims 19, 25, and 32 have been amended to clarify these features. In particular, claim 19 has been amended to recite:

> "...generating a first view of the specific tangible object, wherein the first view is generated by applying a first rule associated with the first venue to the representation of the tangible object such that the first view includes only attributes in compliance with the first rule..." Emphasis added.

Claims 25 and 32 recite similar features. As shown above, claim 19 recites, "generating a first view of the specific tangible object," and further recites that the view is, "generated by applying a first rule..." *See* claims 19, 25, and 32. The Applicants respectfully submit that these features are not mere "intended use", and, as such, should be accorded patentable weight.

Claim 19 has been further amended to recite:

> "...generating a second view of the specific tangible object, wherein the second view is generated by applying a second rule associated with the second

venue to the representation of the tangible object such that the second view includes only attributes in compliance with the second rule, and wherein the second view differs from the first view in that at least one attribute in the second view is not in the first view..." Emphasis added.

Claims 25 and 32 recite similar features. As shown above, the claims now recite, "generating a second view of the specific tangible object," and further recite that the second view is, "generated by applying a second rule..." *See* claims 19, 25, and 32. Therefore, the Applicants submit that these features are not mere "intended use" and, as such, should be accorded patentable weight.

Claim 19 has been further amended to recite storage of specific tangible objects on a computer-readable storage medium. As established by the Federal Circuit case In re Lowry, data structures may represent patentable subject matter, "...Lowry's data structures are physical entities that provide increased efficiency in computer operation. They are not analogous to printed matter. The Board is not at liberty to ignore such limitations." In re Lowry 32 F.3d 1584 (Fed. Cir. 1994). The claims recite features similar to those at issue in In re Lowry, in particular, data structures and arrangements that represent physical entities. For example, claim 19 has been amended to recite specific tangible objects stored on a "computer-readable medium." *See* claim 19 as amended herein. Claims 25 and 32 recite similar features. Therefore, the "attributes" and/or "specific tangible objects" should be according patentable weight. *See* In re Lowry 32 F.3d 1584.

CLAIMS REJECTIONS UNDER § 103

Claims 19-35 and 37 stand rejected under 35 U.S.C. § 103 as purportedly being unpatentable over Bonneau. To support a *prima facie* case of obviousness, the Office Action must offer a "clear articulation of the reason(s) why the claimed invention would have been obvious." KSR Intl. Co. v. Teleflex Inc., 127 S. Ct. 1727 (2007)*; also see* MPEP § 2143. The analysis supporting the rejection should be made explicit. *See* MPEP § 2143. Any rejection under § 103 must consider all the words in the claim. *See* In re Wilson, 424 F.2d 1382, 1385 (CCPA 1970)*; also see* MPEP § 2143.03. Therefore, the cited prior art must teach or suggest all the claim limitations. *See* In Re Royka 490 F.2d

981 (CCPA 1974). Moreover, the prior art references must be considered in their entirety (i.e., as a whole) including portions that would lead away from the claims. *See* W.L.Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540 at 1550 (Fed. Cir. 1983); *also see* MPEP § 2141.02(VI).

Bonneau fails to consider all the words in the claims. Therefore, the Applicants respectfully traverse these rejections.

BONNEAU FAILS TO DISCLOSE GENERATING A FIRST VIEW OF A SPECIFIC TANGIBLE OBJECT

The claims recite generating a first view of a specific tangible object according to a first rule associated with a first venue: "...generating a first view of the specific tangible object, wherein the first view is generated by applying a first rule associated with the first venue to the representation of the tangible object such that the first view includes only attributes in compliance with the first rule..." Claim 19; emphasis added; *also see* claims 25 and 32.

The disclosure teaches that in some cases, database administrators must customize objects within a database to allow the data to be viewed by different audiences within different venues:

> "...for example, [in] 'price' customization: if a vendor only sells a product to the retail market, the vendor needs to create a price category (attribute) of 'retail price' and assign a monetary value to that category of price, but has no need to create a category of wholesale price for the product and therefore has no need to assign an actual quantity to such a price type. However, if a vendor sells a product to both the retail and wholesale markets, it is likely that the pricing of a particular item for the wholesale market might be different from its pricing for the retail market customer, and consequently at least two 'price type' categories would be needed and different "prices" would need to be assigned to each type." [0003].

The disclosure explains that this type of database customization can quickly become cumbersome and difficult to manage. Id. Therefore, the disclosure teaches systems and methods for managing venues in which specific tangible objects may be displayed and, more specifically, rules to specify which attributes of the specific tangible objects should be displayed in particular venues. For example, the disclosure teaches

that a first venue may be allowed to access/display a first set of attributes of a particular specific tangible object while a second venue is allowed to access/display a different set of attributes of the same specific tangible object. *See* [0019]. The attributes to be included in a particular venue are defined by a set of rules associated with the venues ("…may be restricted to certain information by Rules set up in accordance with the invention…"). [0019]. The disclosure teaches producing different views of a specific tangible object for display in different venues by applying rules associated with the venues to the **same specific tangible objects**:

> "..if a website is created as a venue to market pre-owned vehicles in the Seattle area to retail customers… The website accessible by this audience may constitute a venue to which many automobile dealers may wish to provide information about certain of their vehicles for retail sale. Similarly, a website for wholesale automotive customers nationwide may potentially constitute a venue, and the wholesale dealers may be an audience… the wholesale customers may be further subdivided by other traits or factors, such as for example unique needs by geographic region, thus implying separate geographic niche markets and hence potentially separate audiences… **the audience from a particular region may be restricted to certain information by Rules set up in accordance with the invention**…Thus, distinct venues are created for each audience and each venue is defined by a set of unique 'rules' for customizing the information which may be displayed at the particular venue, in this case a website(s)" [0019]; emphasis added.

Bonneau does not disclose generating different views of the same specific tangible object in different venues as recited in the claims. Bonneau discusses custom catalogs that are defined at a SKU (object) level. *See* Bonneau col. 9 lines 21-67. Bonneau states that it is intended to provide custom catalogs that are, "subsets of [a] catalog database…" Bonneau Abstract. Therefore, Bonneau discusses returning particular sets of catalog entries (referred to in Bonneau as "SKUs") from a catalog database for a particular custom catalog according to "rules" associated with the particular custom catalog ("the results from the full search are pared down to only those … SKUs … [that] have entries in the subset table associated with the buyer's assigned subset"). Id; emphasis added. Therefore, rather than producing different views of **the same specific tangible objects** as recited in the claims, Bonneau discusses providing catalogs containing **different sets of objects (SKUs)**. Accordingly, Bonneau cannot disclose producing different views of the same specific tangible object as recited in the claims.

The portion of Bonneau cited in the Office Action further illustrates that Bonneau operates at an object level (SKUs level) within the catalog database:

> "…an example search to include all software that is manufactured by Microsoft Corporation and is related to 'Windows' could be expressed as follows:
>
> ```
> INC
> All parts where:
> [Product type = 'software'
>         [Vendor = 'Microsoft'
>                 [Description "starts with" 'Windows']
>         ]
> ]
> ```
>
> **This search would return SKUs for products** such as Windows NT®… or applications developed by Microsoft that are described as Windows® compatible…" Bonneau col. 9 lines 46-62; emphasis added.

Selecting "subsets of [a] catalog database" is not what is claimed, the claims do not recite selecting a particular set of objects (SKUs) from a custom catalog. *See* Bonneau Abstract. Rather, as discussed above, the claims recite generating different views of the same **specific tangible object** for different venues according to rules associated therewith ("…generating a first view of the specific tangible object, wherein the first view is generated by applying a first rule… such that the first view includes only attributes in compliance with the first rule…") Claim 19; emphasis added; *also see* claims 25 and 32. As described above, the Bonneau rules are used to determine which SKUs within a catalog database are to be included within a particular custom catalog. Bonneau Abstract. The custom catalogs contain different sets of SKUs (objects). Paring down or filtering which SKUs are to be included in a custom catalog, does not disclose generating different views of the **same specific tangible object** as recited in the claims. *See* Bonneau Abstract; *also see* claims 19, 25, and 32.

BONNEAU FAILS TO DISCLOSE GENERATING A SECOND VIEW OF THE SPECIFIC TANGIBLE OBJECT

Claim 19 further recites:

> "...generating a second view of the specific tangible object, wherein the second view is generated by applying a second rule associated with the second venue to the representation of the specific tangible object such that the second view includes only attributes in compliance with the second rule, and wherein the second view differs from the first view in that at least one attribute in the second view is not in the first view..." Emphasis added.

Claims 25 and 32 recite similar features. As discussed above, Bonneau does not disclose generating a first view of a specific tangible object as recited in the claims. Therefore, Bonneau cannot disclose generating a second view of the specific tangible object as recited in the claims. This feature further distinguishes the claims over Bonneau in that it recites, "...wherein the second view differs from the first view in that at least one **attribute** in the second view is not in the first view..." Claims 19; emphasis added; *also see* claims 25 and 32. As discussed above, Bonneau discusses creating subsets of a catalog at the "SKU" level as opposed to selecting which attributes of a particular, specific tangible object should be included in particular venue. *See* Bonneau Abstract; *also see* Bonneau col. 9 lines 46-62. Therefore, Bonneau cannot disclose generating a first view of a specific tangible object, much less generating a second, different view of the same specific tangible object. Moreover, Bonneau cannot disclose generating views, "...wherein the second view differs from the first view in that at least one attribute in the second view is not in the first view," as recited in the claims. Claim 19; emphasis added; *also see* claims 25 and 32.

BONNEAU DOES NOT RENDER THE CLAIMS UNPATENTABLE

The Office Action purports that the claims are directed to a "computer-implemented method of 'data processing' so that terms such as 'attributes' ... or 'specific tangible objects'... are considered as non-functional descriptive material (NFDM) and may not have any patentable weight." Office Action Pg. 6 ¶ 4.

The Applicants point out that claim 19 recites more than a mere "data structure,"

but rather (as in In re Lowry) recites "physical entities that provide increased efficiency in computer operation," which are "not analogous to printed matter." In re Lowry 32 F.3d 1584; emphasis added. For instance, claim 19 has been amended to recite that the "specific tangible objects" and attributes thereof are stored on a "computer-readable storage medium." *See* claim 19. Claims 25 and 32 recite similar structures. Therefore, these features should be given patentable weight.

Moreover, the terms used in the claims, such as "attributes" and "objects," have meaning within the art. For example, an "attribute" is defined as:

> **"attribute** n. 1. In a database record, the name or structure of a field. For example, the files LASTNAME, FIRSTNAME, and PHONE would be attributes of each **record** in a PHONELIST **database**. The size of a field or the type of information it contains would also be attributes of a database record…." Microsoft Computer Dictionary, 5th Ed. 2002; emphasis added.

As shown above, the definition from the Microsoft Computer Dictionary further highlights one of the distinctions between the claims and Bonneau. Where Bonneau discusses customization of a catalog based on which "objects" or "records" (SKUs) are included in particular custom catalogs, the claims recite rules to specify which **attributes** of the **same specific tangible object** are to be included in particular venues. As shown above, **attributes** are properties of a particular "object" or "record." Id. Since Bonneau does not disclose rules capable of specifying which SKU attributes should be included in a custom catalog, it is incapable of disclosing the features recited in the claims.

BONNEAU DOES NOT RENDER THE CLAIMS UNPATENTABLE

As shown above, Bonneau fails to disclose at least, "…generating a first view of [a] specific tangible object… such that the first view includes only attributes in compliance with [a] first rule," "…generating a second view of the specific tangible object… such that the second view includes only attributes in compliance with [a] second rule," and/or "wherein the second view differs from the first view in that at least one attribute in the second view is not in the first view…" Therefore, the Applicants respectfully submit that Bonneau fails to consider all the words of the claims. Accordingly, the Applicants respectfully traverse the rejection of independent claims 19, 25, and 32 and their dependents (claims 20-24, 26-31, 33-35, and 37).

GENERAL CONSIDERATIONS

By the remarks provided herein, the Applicants have addressed all outstanding issues presented in the Office Action. The Applicants note that the remarks presented herein have been made merely to clarify the claimed invention from elements purported by the Office Action to be taught by the cited references. Such remarks should not be construed as acquiescence, on the Applicant's part, as to the purported teachings or prior art status of the cited references, nor as to the characterization of the cited references advanced in the Office Action. Accordingly, the Applicants reserve the right to challenge the purported teachings and prior art status of the cited references at an appropriate time.

CONCLUSION

For the reasons discussed above, the Applicants submit that the claims are in proper condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner notes any further matters that may be resolved by a telephone interview, the Examiner is encouraged to contact John Thompson by telephone at (801) 578-6994.

Respectfully submitted,

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